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10/015,380**C. REMARKS***Specification*

Applicants have amended the specification above to include the application serial numbers of the related cross-references.

*Interview Summary*

On April 5, 2005 at 3:30 PM EST, an interview was conducted via telephone between Amy Pattillo, Applicants' Representative, and Allan Hoosain. No exhibits were shown, nor demonstrations conducted.

Applicants' Representative and Allan Hoosain discussed the following items:

- (1) Applicants' representative requested clarification, on page 1 of the Office Action Summary, whether claims 18-20 should be included in item 4a of claims withdrawn from consideration. Applicants' representative noted that after the renumbering of claim groups, claims 18-20 should be included in the elected group and that the Examiner included rejections of these claims. The Examiner was unable to access information needed to correct the error, but responded that he would review the error when reviewing this response.
- (2) Applicants' representative requested clarification of claim 1, rejected under 103(a) under Uppaluru et al. (US Patent 6,381,329)(hereinafter Uppaluru) in view of Rogers et al. (US Patent 5,946,386) (hereinafter Rogers). In particular, Applicants requested clarification of how "Uppaluru teaches playing customized announcements to callers identified by a proxy call" and how playing customized announcements would "suggesting the authenticating of callers using caller profiles." The Examiner responded that col. 8, lines 5-15 disclose a voice response unit that accepts user input from keys or speech recognition and that this suggests modification to include an authentication process. In addition, the Examiner responded that while the customized announcement to callers in Uppaluru is customized for the call center and not for callers individually, that

AUS920010824US1

11

PATENT  
10/015,380

customizing announcements at different call centers suggests customizing announcements for callers individually. Applicants' representative disagreed with the Examiner's conclusion that call center customized announcements suggests caller customized announcements or that the mere description of an IVRU suggests authentication of callers. In conclusion, no agreement was reached with respect to the claims. Applicant is filing this response for further review by the Examiner.

- (3) Applicants' representative requested clarification of claim 4, rejected under 103(a) under Uppaluru in view of Rogers. In particular, Applicants requested clarification of how col. 10, lines 40-45 of Uppaluru disclose any of the elements of claim 4. The Examiner responded that col. 10, lines 45-48 describes customer and business information and that customer information teaches the "personal information" of claim 4. Applicants' representative noted that when considered as a whole, Uppaluru does not teach what "customer information" refers to or how it is specifically used, and therefore does not teach or enable a caller profile that includes personal information about the caller. In conclusion, no agreement was reached with respect to the claims. Applicant is filing this response for further review by the Examiner.

**35 USC § 103(a)**

Applicants note the responsibility under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made. Applicants note that all claims are commonly owned.

**Claims 1-12 and 17-20 are not obvious under Uppaluru et al. in view of Rogers et al.**

Claims 1-12 and 17-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Uppaluru et al. (US Patent Number 6,381,329) (hereinafter also referred to as Uppaluru) in view of Rogers et al. (US Patent Number 5,946,386) (hereinafter referred to as Rogers). The Examiner carries the burden of proving a prima facie case of obviousness for a 103(a) rejection.

AUS920010824US1

12

PATENT  
10/015,380

Applicants respectfully assert that claims 1-12 and 17-20 are not obvious under Uppaluru in view of Rogers and therefore the rejection should be withdrawn and the claims allowed.

Claims 1 and 6

Claim 1, which is representative of independent system claim 6, with regard to similarly recited subject matter and rejection, reads as follows:

1. (Currently Amended) A method for controlling distribution of caller profiles comprising:

receiving a request at a central server system accessible from a telecommunications network for a caller profile according to an authenticated voice identifier of a caller currently on hold within a particular call center from among a plurality of call centers enabled to access said central server system; locating, at said central server system, said caller profile matching said authenticated voice identifier, wherein said caller profile comprises prior on hold selections by said caller while previously waiting on hold at at least one of said plurality of call centers, wherein said prior on hold selections were transferred to said central server system; and

distributing said caller profile to said particular call center according to said authenticated voice identifier, such that said particular call center is enabled to specify output of customize on hold services provided to said caller according to said caller profile, wherein said caller profile is accessible across [a] said plurality of call centers according to said voice identifier for customizing on hold services provided to said caller. specifying output of services

In the rejection of claim 1, the Examiner states the following grounds:

As to claims 1, 5, with respect to Figures 3-7, Uppaluru teaches a method for controlling distribution of caller profiles comprising:

receiving a request at a premises call center gateway (central server system) accessible from a telecommunications network for call center information according to a proxy call of a caller currently on hold within a POP call center gateway (Figure 4 and Col. 4, lines 49-54); and

distributing said call center information to said POP call center gateway (call center) according to said proxy call, such that said POP call center gateway (call center) is enabled to specify output of services to said caller according to said customer application (Col. 3, lines 42-51);

wherein said call center information is accessible across a plurality of POP call center gateways (call centers) according to said proxy call for specifying output of services (col. 4, lines 49-51).

Uppaluru does not teach the following limitations:

AUS920010824US1

13

PATENT  
10/015,380

“authenticated voice identifier” and “caller profiles”

However, it is obvious that Uppaluru suggests the limitations. This is because Uppaluru teaches playing customized announcements to callers identified by a proxy call. These announcements suggest the authenticating of callers using caller profiles (Col. 2, lines 55-60 and Col. 8, lines 33-37). Rogers teaches voice identification (authenticated voice identifier) of callers and caller VIP rules (profiles) for servicing specific callers (Col. 23, lines 41-43, Col. 24, lines 32-36, and col. 37, lines 5-15). Having the cited analogous art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add voice identification and caller profile capabilities to Uppaluru's invention for verifying a caller's identity as taught by Rogers' invention in order to provide callers with specific personalized messages. [Office Action, pp. 2-3]

**Neither Uppaluru or Rogers, separately or in combination, teaches or suggests all the limitations of claim 1**

In establishing a prima facie case of obviousness under 103(a), the combined prior art references must teach or suggest all the claim limitations. *In re Vaeck*, 947 F.3d 488, 20 USPQ2d 1438 (Fed Cir. 1991). In particular, in determining the differences between the prior art and the claims, the question under 35 U.S.C. 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious. *Stratoflex, Inc. v. Aeroquip Corp.*, 713 F.2d 1530, 218 USPQ 871 (Fed. Cir. 1983); *Schenck v. Nortron Corp.*, 713 F.2d 782, 218 USPQ 698 (Fed. Cir. 1983). Applicants respectfully note that the Examiner does not show, nor do the references teach or suggest, separately or in combination, the claimed invention as a whole, and in particular does not teach a “caller profile” as taught in the elements of locating, at said central server system, said caller profile matching said authenticated voice identifier, wherein said caller profile comprises prior on hold selections by said caller while previously waiting on hold at at least one of said plurality of call centers, wherein said prior on hold selections were transferred to said central server system and distributing said caller profile to said particular call center according to said authenticated voice identifier, such that said particular call center is enabled to customize on hold services provided to said caller according to said caller profile, wherein said caller profile is

AUS920010824US1

14

PATENT  
10/015,380

accessible across said plurality of call centers according to said voice identifier for customizing on hold services provided to said caller

First, Rogers does not teach a caller profile. The Examiner refers to Rogers as disclosing “voice identification (authenticated voice identifier) of callers and caller VIP rules (profiles) for servicing specific callers (col. 23, lines 41-43, col. 24, lines 32-36, and col. 37, lines 5-15). Thus, the Examiner equates “caller VIP rules” with a caller profile. Col. 23, lines 41-43 read “telephone keypad entry of a unique assigned PIN number; or speaking his/her name with subsequent voice recognition by the call management computer.” Col. 24, lines 32-36 read: “If the name was spoken 512, the call management computer 101 compares the name with entries in a voice identification database 214. If the name corresponds to one in the voice identification database 214, the calling party is identified 521.” Col. 37, lines 5-15 read “Screen 7701 is used to define “WHAT” actions are to be taken. VIP rules can result in one or a series of actions to be taken: 1. Play out selected pre-recorded messages 715 to the caller, personalized for the caller and recorded in the called party’s own voice, e.g. “John, I’m out of the office today. If you need to speak with sales, press one, or to speak to Sam, press two. Otherwise, I will call you back tomorrow.” Or “John, I’m on the phone right now, but don’t hang up, I’ll be right with you.”. These messages can also be used for “Callback” responses to...”. Applicants respectfully assert that the VIP rules referenced by the Examiner merely disclose rules set by the party receiving a call that “can result in one or a series of actions to be taken” and not to a “caller profile” that indicates information gathered about a caller. However, regardless of whether the Examiner’s assertion is correct, Applicants amend claim 1 to clarify that the caller profile comprises prior on hold selections by said caller while previously waiting on hold at at least one of said plurality of call centers and is distinguishable from the rules set by the called party for actions to be taken in responding to calls. The specification supports this clarification throughout, and in particular, on page 26, lines 17-22 and page 28, lines 14-22.

Second, the combination of Uppaluru and Rogers does not teach a caller profile. The Examiner states that Uppaluru teaches claim 1 except “authenticated voice identifier” and “caller profiles”. [Office Action, p. 3] The Examiner states regarding Uppaluru that “these

AUS920010824US1

15

PATENT  
10/015,380

announcements suggest the authenticating of callers using caller profiles” and then cites Rogers as teaching “voice identification” of callers and “caller VIP rules for servicing specific callers.” [Office Action, p. 3] First, Applicants disagree with the Examiner’s characterization that the “caller profiles” taught in claim 1 are just used to authenticate callers. In particular, claim 1 teaches receiving an “authenticated voice identifier”, meaning that the identity of the caller is already authenticated and that the authenticated voice identifier indicates the already authenticated caller identity. Second, Applicants note that regardless of whether Rogers teaches authentication of callers using caller profiles, when claim 1 is considered as a whole, a “caller profile” is requested according to “an authenticated caller identifier” and the “caller profile” is used to specify services for a caller waiting on hold. Neither Uppaluru nor Rogers teach these elements of claim 1, when claim 1 is considered as a whole. Rogers merely teaches selecting a VIP rule that defines what actions are to be taken according to the identity of the calling party (Rogers, col. 37, lines 5-15) and not the customization of services based on a caller profile, which is accessed according to a caller identity and is not just the identity of the caller. Further, Applicants clarify, through amendment of claim 1, as previously described, that a caller profile is not a VIP rule set by the called party based on the identity of a caller as disclosed by Rogers, but is information about the previous selections by the caller while previously waiting on hold across multiple call centers, that the called party (call center) uses to specify current on hold services.

Third, neither Uppaluru nor Rogers teaches the caller profile maintained at a central server system and including prior on hold selections by said caller while previously waiting on hold at at least one of said plurality of call centers, wherein said prior on hold selections were transferred to said central server system. In particular, Uppaluru does not teach maintaining a history of previous user selections while waiting on hold at one or more call centers or maintaining that history at a central server system. The specification describes maintaining user on hold history at a central server system throughout, and in particular, at page 26, lines 17-22 and page 28 lines 14-22.

In conclusion, a prima facie case of obviousness under 103(a) is not established for claims 1 and 6 because at least one element of claims 1 and 6 is not taught by Uppaluru and

AUS920010824US1

16

PATENT  
10/015,380

Rogers, separately or in combination. Because a prima facie case of obviousness under 103(a) is not established for claims 1 and 6, Applicants respectfully request allowance of claims 1 and 6.

**There is no suggestion or motivation to modify Uppaluru by Rogers**

To establish a prima facie case of obviousness, there must be a suggestion or motivation to modify the references. *In re Vaeck*, 947 F.3d 488, 20 USPQ2d 1438, 1442 (Fed Cir. 1991). In particular, the teaching, suggestion or motivation to combine or modify the teachings of the prior art to produce the claimed invention must be found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art and the examiner must explicitly point to the teaching within the reference suggesting the proposed modification. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Absent such a showing, the Examiner has impermissibly used "hindsight" occasioned by Applicants' own teaching to reject the claims. *In re Surko*, 11 F.3d 887, 42 USPQ2d 1476 (Fed. Cir. 1997); *In re Vaeck*, 947 F.3d 488, 20 USPQ2d 1438 (Fed Cir. 1991); *In re Gorman*, 933 F.2d 982, 986, 18 USPQ2d 1885, 1888 (Fed. Cir. 1991); *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990); *In re Laskowski*, 871 F.2d 115, 117, 10 USPQ2d 1397, 1398 (Fed. Cir. 1989). The Examiner states that:

Uppaluru does not teach the following limitations: "authenticated voice identifier" and "caller profiles". However, it is obvious that Uppaluru suggests the limitations. This is because Uppaluru teaches playing customized announcements to callers identified by a proxy call. These announcements suggest the authenticating of callers using caller profiles (Col. 2, lines 55-60 and Col. 8, lines 33-37).

The Examiner further clarified during the interview that the presence of an interactive voice response unit (IVRU) with speech recognition suggests authenticating callers. Applicants respectfully note that the Examiner does not show, nor does Uppaluru teach, a suggestion or motivation to modify Uppaluru by Rogers to teach the claimed invention as a whole.

First, there is no suggestion or motivation to modify Uppaluru in view of Rogers because the mere presence of an IVRU in a call center does not suggest or motivate the authentication of callers or the use of an authenticated identifier to access a caller profile for the authenticated

AUS920010824US1

17

PATENT  
10/015,380

caller. The Examiner noted during the interview that authentication of a caller is different from just identification of a caller, through a dialed number. Authentication, as defined in the Microsoft Computer dictionary, 5<sup>th</sup> edition, is "the process by which the system validates a user's login information. A user's name and password are compared against an authorized list, and if the system detects a match, access is granted to the extent specified in the permission list for that user." Thus, authentication requires the pre-recording of information against which current information can be compared. There mere presence of an IVRU which is able to detect current touch tone or speech input, does not automatically suggest or motivate the modification of such a system to include authentication of the caller.

Second, there is no suggestion or motivation to modify Uppaluru in view of Rogers because the mere teaching of a customized announcement according to the business center called does not suggest or motivate authenticating a caller, accessing a caller profile according to the authenticated identity, and then customizing announcements according to information in the caller profile. The Examiner cites col. 2, lines 55-60 and col. 8, lines 33-37 as the support for the statement that Uppaluru teaches playing customized announcements and that these announcement suggest the authenticating of callers using caller profiles. Col. 2, lines 55-60 read:

The POP call center gateway is further capable of requesting connected premises call center gateways to originate proxy calls on its behalf, monitoring call progress and routing the locally queued calls to the premises call center just in time before the operator picks up the call.

Col. 8, lines 33-37 read:

This script is passed to ExecuteScript, which processes and executes the script which typically interacts with the user presenting announcements and menu options and accepts user input via touch tones keys on the phone or speech recognition.

Applicants respectfully assert that neither col. 2, lines 55-60 or col. 8, lines 33-37 disclose playing customized announcements to callers identified by a proxy call. Applicants note, however, that col. 3, lines 5-41 of Uppaluru discloses a "customized interactive voice response application" controlled by a POP call gateway center and customized to a particular business center, where a POP call center gateway is able to intercept inbound calls for multiple distinct

AUS920010824US1

18



PATENT  
10/015,380

business centers and customize the voice response application for each business center. Thus, Uppaluru only discloses accessing a "customized interactive voice response application" for a particular business center. During the interview, the Examiner asserted that the fact that different call centers can have interactive voice response applications customized to the call center suggests modifying Uppaluru by Rogers. Applicants respectfully assert that an interactive voice response application customized for a call center does not suggest modification of a centralized call center database system to also include receiving an authenticated caller identity, accessing a caller profile according to the authenticated caller identity, and then distributing that caller profile to call centers enabled to customize the output of a interactive voice response application according to information accessed from the caller profile.

In conclusion, a prima facie case of obviousness under 103(a) is not established for claims 1 and 6 because there is no suggestion or motivation to modify Uppaluru by Rogers to teach all the elements of claims 1 and 6. Because a prima facie case of obviousness under 103(a) is not established for claims 1 and 6, Applicants respectfully request allowance of claims 1 and 6.

**There is No Reasonable Expectation of Success in the Proposed Modification of Uppaluru in view of Rogers**

To establish a prima facie case of obviousness, there must be a reasonable expectation of success in the proposed modification of Uppaluru in view of Rogers. *In re Merck & Co., Inc.*, 800 F.2d 1091, 1097, 231 USPQ 375, 379 (Fed. Cir. 1986). Applicants respectfully assert that there is no reasonable expectation of success in the proposed modification of Uppaluru by Rogers. Claim 1 teaches a method for receiving a voice authenticated identifier for a current caller waiting in a hold queue at a central server system, locating a caller profile matching the voice authenticated identifier, where the caller profile includes previous selections made by the caller while on hold at multiple call centers, and distributing the caller profile to the requesting call center so that the requesting call center can customize the on hold services provided to the caller. Uppaluru discloses a "global call center system capable of answering, servicing, queuing and routing of calls at local points of presence to reduce communication costs and enhance

AUS920010824US1

PATENT  
10/015,380

operational efficiency for toll-free inbound call centers. In at least one embodiment, the global call center system includes a set of point-of-presence call center gateways distributed at points of presence close to the point of call origination that are interconnected by a virtual private network to premises call center gateways at business locations where the call centers reside." *Uppaluru*, col. 2, lines 36-46. Rogers discloses "a call management system provides for management of calls directly by system users at their workstation computers via a digital data network such as a digital network not controlled via the user's telephone instruments as in prior systems. A call management computer intercepts incoming calls and controls the handling of such calls according to instructions received from the users' workstations, which are accessed via the digital data network... Each different type of call is managed differently and automatically through direct user workstation controls and/or user-generated rules to provide special treatment for designated callers..." *Rogers*, abstract. The Examiner states that "having the cited analogous art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add voice identification and caller profile capabilities to *Uppaluru*'s invention for verifying a caller's identity as taught by *Rogers*' invention in order to provide callers with specific messages." [Office Action, p. 3] Applicants respectfully note, however, that both *Uppaluru* only discloses customization of the announcements for a particular call center for all callers to that call center (*Uppaluru*, col. 2, lines 36-46) and *Rogers* only discloses customized rules to provide special treatment for designated callers, according to the caller identity (*Rogers*, abstract and col. 37, lines 5-15). Neither *Uppaluru* or *Rogers* teaches the "caller profile capabilities" referred to by the Examiner and taught by claim 1. Thus, there is no reasonable expectation of success that the modification of *Uppaluru* by *Rogers* would teach customized on hold services based on a caller profile for a caller identified through voice authentication and therefore no prima facie case of obviousness as to claims 1 and 6. Therefore, because prima facie obvious is not established for claims 1 and 6, Applicants respectfully request allowance of claims 1 and 6.

Claims 2-5, 7-12

Regarding claims 2-5 and 7-12, Applicants respectfully assert that because the independent claims 1 and 6 upon which these dependent claims respectively rely are not obvious in view of AUS920010824US1

PATENT  
10/015,380

Uppaluru and Rogers, alone or in combination, then these dependent claims are also not obvious in view of Uppaluru and Rogers and the dependent claims should be allowed. In addition, Applicants note that claims 2-4 and 12 are amended to maintain proper antecedent basis responsive to the amendments made to claims 1 and 6.

Claims 17 and 19

Claim 17, which is representative of independent system claim 19, with regard to similarly recited subject matter and rejection, reads as follows:

17.(Original) A method for controlling distribution of caller profiles to call centers, comprising:

receiving a request at a central server system accessible from a telecommunications network for a caller profile according to an authenticated voice identifier of a caller currently on hold within a call center, wherein said request comprises an identifier for said call center;

determining a subscription status of said call center from among a plurality of call center subscriptions according to said identifier for said call center; and

only distributing a subscribed to portion of said caller profile to said call center according to said subscription status.

In the rejection of claims 17 and 19, the Examiner states the following grounds:

As to claims 17, 19 with respect to Figures 1-4, Uppaluru teaches a method for controlling distribution of call center information (caller profiles) to Pop call center gateways (call centers) comprising:

receiving a request at a premises call center gateway (central server system) accessible from a telecommunications network for call center information (a caller profile) according to a proxy call (an authenticated voice identifier of a caller) currently on hold within a call center (Col. 4, lines 30-48), wherein said request comprises a translated called party number (an identifier for said call center); and

determining a toll-free number (subscription status) of said call center from among a plurality of toll-free numbers (call center subscriptions) according to said identifier for said call center (Col. 3, lines 5-21); and

only distributing a customized application (subscribed to portion) of said call center information (caller profile) to said call center according to said subscription status (Col. 3, lines 22-41).

Uppaluru does not teach the following limitations:

"authenticated voice identifier" and "caller profiles"

AUS920010824US1

21

PATENT  
10/015,380

However, it is obvious that Uppaluru suggests the limitations. This is because Uppaluru teaches playing customized announcements to callers identified by a proxy call. These announcements suggest the authenticating of callers using caller profiles (Col. 2, lines 55-60 and Col. 8, lines 33-37). Rogers teaches voice identification of callers and caller VIP rules (profiles) for servicing specific callers (Col. 23, lines 41-43, Col. 24, lines 32-36, and col. 37, lines 5-15). Having the cited analogous art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add voice identification and caller profile capabilities to Uppaluru's invention for verifying a caller's identity as taught by Rogers' invention in order to provide callers with personalized messages. [Office Action, pp. 7-8]

**Neither Uppaluru or Rogers, separately or in combination, teaches or suggests all the limitations of claim 1**

In establishing a prima facie case of obviousness under 103(a), the combined prior art references must teach or suggest all the claim limitations. *In re Vaack*, 947 F.3d 488, 20 USPQ2d 1438 (Fed Cir. 1991). In particular, in determining the differences between the prior art and the claims, the question under 35 U.S.C. 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious. *Stratoflex, Inc. v. Aeroquip Corp.*, 713 F.2d 1530, 218 USPQ 871 (Fed. Cir. 1983); *Schenck v. Nortron Corp.*, 713 F.2d 782, 218 USPQ 698 (Fed. Cir. 1983). First, Applicants respectfully note that the Examiner does not show, nor do the references teach or suggest, separately or in combination, the claimed invention as a whole, and in particular does not teach a "caller profile" for the same reasons as asserted by Applicants with reference to claims 1 and 6. Second, Applicants respectfully note that the Examiner does not show, nor do the references teach or suggest, separately or in combination, a "subscription status" or a "subscribed to portion" as taught in the elements of determining a subscription status of said call center from among a plurality of call center subscriptions according to said identifier for said call center and only distributing a subscribed to portion of said caller profile to said call center according to said subscription status.

In particular, the references do not teach a "subscription status" or a "subscribed to portion" because when viewed as a whole, claim 17 teaches that a subscription status entitles a

AUS920010824US1

PATENT  
10/015,380

call center to a particular portion of a caller profile. In the rejection of claim 17, the Examiner associates the "toll-free number" disclosed in Uppaluru with the "subscription status" and "call center subscriptions". [Office Action, p. 7] In addition, the Examiner associates the "customized application" disclosed in Uppaluru with the "subscribed to portion" of a caller profile. [Office Action, p. 8] Applicants note that the "customized application" disclosed in col. 3, lines 5-41 Uppaluru is the "customized interactive voice response application" for a particular business. Each toll-free number corresponds with a particular customized application. Uppaluru, col. 3, lines 5-41. Uppaluru does not teach distributing only a portion of a particular customized application for a toll-free number. In contrast, the present invention does not teach a subscription status of a call center corresponding with a particular caller profile, but teaches that each call center has a subscription status and that the subscription status indicates what portion of a caller profile, which inherently has multiple available portions, is distributed to the requesting call center. In conclusion, a prima facie case of obviousness under 103(a) is not established for claims 17 and 19 because at least one element of claims 17 and 19 is not taught by Uppaluru and Rogers, separately or in combination. Because a prima facie case of obviousness under 103(a) is not established for claims 17 and 19, Applicants respectfully request allowance of claims 17 and 19.

**There is no suggestion or motivation to modify Uppaluru by Rogers**

To establish a prima facie case of obviousness, there must be a suggestion or motivation to modify the references. *In re Vaeck*, 947 F.3d 488, 20 USPQ2d 1438, 1442 (Fed Cir. 1991). In particular, the teaching, suggestion or motivation to combine or modify the teachings of the prior art to produce the claimed invention must be found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art and the examiner must explicitly point to the teaching within the reference suggesting the proposed modification. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Absent such a showing, the Examiner has impermissibly used "hindsight" occasioned by Applicants' own teaching to reject the claims. *In re Surko*, 11 F.3d 887, 42 USPQ2d 1476 (Fed. Cir. 1997);

AUS920010824US1

23

PATENT  
10/015,380

*In re Vaeck*, 947 F.3d 488, 20 USPQ2d 1438 (Fed. Cir. 1991); *In re Gorman*, 933 F.2d 982, 986, 18 USPQ2d 1885, 1888 (Fed. Cir. 1991); *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990); *In re Laskowski*, 871 F.2d 115, 117, 10 USPQ2d 1397, 1398 (Fed. Cir. 1989). The

Examiner states that:

Uppaluru does not teach the following limitations: "authenticated voice identifier" and "caller profiles". However, it is obvious that Uppaluru suggests the limitations. This is because Uppaluru teaches playing customized announcements to callers identified by a proxy call. These announcements suggest the authenticating of callers using caller profiles (Col. 2, lines 55-60 and Col. 8, lines 33-37).

Applicants respectfully assert that Uppaluru does not provide a suggestion or motivation to modify Uppaluru by Rogers to teach the claimed invention as a whole.

First, there is no suggestion or motivation to modify Uppaluru in view of Rogers because there is not suggestion or motivation to modify the "call center information" of Uppaluru to teach a caller profile. In the rejection of claims 17 and 19, the Examiner replaces the claim element of "caller profile" with "call center information" but does not explicitly point to a teaching that suggests this modification. The "call center information" disclosed in Uppaluru refers to the capability of a single POP call center gateway to intercept calls for multiple distinct business call centers, translate a called party number to identify the particular business call center associated with the call, and request "call center information and applications" from the premises call center of the particular business call center. *Uppaluru*, col. 3, lines 5-41, col. 4 lines 49-54, col. 5 line 65 through col. 6 line 14. The POP call center gateway then runs a "matching interactive voice response application customized to the business call center." *Uppaluru*, col. 3, lines 22-41. Thus, Applicants note that the "call center information" is business call center specific information used to specify an interactive voice response application for the business call center. While, the "call center information" is used to customize the voice response application for a particular business associated with the incoming called number, the mere teaching of a customized announcement according to the business center called does not suggest or motivate receiving an authenticated caller identifier, accessing a caller profile according to the authenticated identity, and then selecting a portion of the caller profile to

AUS920010824US1

24

PATENT  
10/015,380

distribute to a particular call center according to the portions of a caller profile subscribed to by the particular call center.

In conclusion, a prima facie case of obviousness under 103(a) is not established for claims 17 and 19 because there is no suggestion or motivation to modify Uppaluru by Rogers to teach all the elements of claims 17 and 19. Because a prima facie case of obviousness under 103(a) is not established for claims 17 and 19, Applicants respectfully request allowance of claims 17 and 19.

Claims 18 and 20

Regarding claims 18 and 20, Applicants respectfully assert that because the independent claims 17 and 19 upon which these dependent claims respectively rely are not obvious in view of Uppaluru and Rogers, alone or in combination, then these dependent claims are also not obvious in view of Uppaluru and Rogers and the dependent claims should be allowed.

AUS920010824US1


25

PATENT  
10/015,380**Conclusion**

Applicants note the citation of pertinent prior art cited by the Examiner.

In view of the foregoing, withdrawal of the rejections and the allowance of the current pending claims is respectfully requested. If the Examiner feels that the pending claims could be allowed with minor changes, the Examiner is invited to telephone the undersigned to discuss an Examiner's Amendment. Further, Applicants reiterate the request for a telephone conference with the Examiner at the Examiner's earliest convenience.

Respectfully submitted,

 5/9/2005

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26



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